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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF ARIZONA

12 United States of America,
13 Plaintiff,
14 v.
15 Julian Canastillo,
16 Defendant.

CR-22-1857-001-TUC-JCH-BGM
SENTENCING MEMORANDUM

17 Now comes the United States of America, by and through its attorneys undersigned,
18 and submits the following regarding the above-captioned defendant's sentencing:

- 19 1. The matter is set for sentencing on April 15, 2025.
- 20 2. On March 1, 2022, Mexican Organized Crime Division officers executed four
21 warrants in Navajoa, Sonora. Three of the four locations bore fruit: 191 total firearms (128
22 long guns, 38 short guns, 19 machineguns, and six .50 caliber rifles); nearly 3 million
23 estimated rounds of ammunition, nearly 15,000 firearm magazines, 89 grenades, 12 tactical
24 vests, and 100 ballistic plates. The Bureau of Alcohol, Tobacco, Firearms, and Explosives
25 (ATF) assisted the Mexican authorities by running an E-Trace search on the seized firearms,
26 which showed approximately 20 of the firearms were purchased in the Tucson area. To be
27 clear, not all of the items listed above are attributable to the defendant or his co-conspirators;
28 rather, that seizure in Navajoa put a spotlight on two existing Tucson investigations.

1 3. ATF agents quickly homed in on two suspects who were already under
2 investigation for their firearm purchases. The two were Timothy Scott Waltermire, Jr., who
3 was responsible for the purchase of 148 total firearms in 2021-2022, many of them having
4 the same make, model and caliber, and Omar Trujillo, Jr., who was responsible for the
5 purchase of 21 total firearms between January 24 and April 30, 2022, many of them having
6 the same make, model and caliber. In addition to their own straw purchases, Trujillo
7 recruited and directed Carlos Martinez and Nicolas Meraz to make firearm purchases at
8 FFLs in the District of Arizona, and Waltermire did the same with Tylor Cody Joiner and
9 Roy Glen Cline, III.

10 4. After speaking with Waltermire, Trujillo, and Martinez, it became clear that
11 the leader of this cell of firearms smugglers was the defendant. Once ATF agents began
12 investigating the defendant, they became aware of three more individuals, Diego Rey
13 Gonzalez, Corey Creasia, and the defendant's brother, Daniel Canastillo-Molina, who were
14 also involved. In all, at least 192 firearms were smuggled by the members of this conspiracy,
15 which was led by the defendant and his brother. On May 27, 2022, the defendant was
16 arrested by local police on a felony probation violation offense and was eventually sentenced
17 to a year in prison on that violation.

18 5. On July 25, 2022, the government filed a complaint against the defendant and
19 Martinez, alleging one count of straw purchasing, in violation of 18 U.S.C. 922(a)(6). On
20 August 24, 2022, a Tucson federal grand jury indicted the defendant and Martinez on the
21 same count. On September 15, 2022, a Tucson federal grand jury returned a true bill of
22 superseding indictment against the defendant and his nine co-conspirators, alleging
23 conspiracy, exportation of goods from the United States, and straw purchasing, among other
24 charges. Upon receiving the warrant for the defendant's arrest resulting from the
25 superseding indictment, federal law enforcement officers apprehended the defendant on
26 October 25, 2022, and the defendant has remained in federal custody since that day. It should
27 be noted that the defendant received credit toward his yearlong state sentence while he was
28

1 being held in pretrial custody in this case. On December 27, 2024, the defendant pled guilty
2 to counts 2-7 and 50 of the superseding indictment pursuant to a written plea agreement.

3 6. Of the individuals mentioned above, all but Daniel Canastillo-Molina have
4 been convicted of felonies, and Trujillo (18 months) and Waltermire (20 months) were both
5 sentenced to incarceration in the Bureau of Prisons. Gonzalez pled guilty to felony charges
6 in another District of Arizona case, which included dismissal of his count in this case.
7 Martinez is set for sentencing on April 14, 2025, one day before the defendant's hearing.

8 7. The government has reviewed the probation department's presentence
9 investigation report (PSR) and disposition report and has no additions or corrections to the
10 factual statements or guideline/criminal history calculations. The defendant's guideline
11 sentencing range of 360 months to life is based on a total offense level 41 and a criminal
12 history category II and is *far* higher than the statutory maximum allows, which is ten years
13 for each offense. The probation department recommends the maximum allowable sentence
14 under the plea agreement, which calls for a sentencing range of 60-96 months of
15 incarceration, to be followed by three years of supervised release.

16 8. 18 U.S.C. § 3553(a)(1) states that when imposing a sentence, a court shall
17 consider "the nature and circumstances of the offense and the history and characteristics of
18 the defendant." The sentence imposed shall reflect the seriousness of the offense, provide
19 just punishment, afford adequate deterrence to further criminal conduct, and protect the
20 public from further crimes of the defendant. 18 U.S.C. § 3553(a)(2). The sentence imposed
21 shall consider "the need to avoid unwarranted sentence disparities among defendants with
22 similar records, who have been found guilty of similar conduct." 18 U.S.C. §3553(a)(6).

23 9. Pursuant to the 18 U.S.C. § 3553(a) factors, the government respectfully
24 requests the Court accept the parties' plea agreement and follow the probation department's
25 recommendation to sentence the defendant to 96 months of incarceration. The defendant's
26 actions in this case were outrageous and intolerable. He was a felon at the time of his crimes
27 and led a gun smuggling operation that sent countless firearms into the Republic of Mexico,
28 almost certainly ending up in the hands of a criminal element that has historically terrorized

1 the people of that nation. On top of destroying the lives of those in Mexico, the defendant
2 certainly holds some, if not all, responsibility for the fate of eight of his co-conspirators, all
3 of whom now have felony convictions. The defendant is fortunate to have received a plea
4 that is capped at eight years, as a sentence to this amount of time is quite lenient when one
5 considers the havoc he has wrought. The government will further explain its position at the
6 sentencing hearing, currently set for April 15, 2025.

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8 Respectfully submitted this 8th day of April, 2025.

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10 TIMOTHY COURCHAINE
United States Attorney
District of Arizona

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12 */s/ Matthew C. Cassell*

13 MATTHEW C. CASSELL
14 Assistant United States Attorney

15 Copy of the foregoing served electronically
16 or by other means this 8th day of April, 2025, to:

17 Christopher L. Scileppi, Esq.
18 Counsel for defendant
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